



# County of Los Angeles CHIEF EXECUTIVE OFFICE

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**WILLIAM T FUJIOKA**  
Chief Executive Officer

REVISED  
ATTACHMENTS III & IV ONLY

November 1, 2011

To: Mayor Michael D. Antonovich  
Supervisor Gloria Molina  
Supervisor Mark Ridley-Thomas  
Supervisor Zev Yaroslavsky  
Supervisor Don Knabe

From: William T Fujioka  
Chief Executive Officer

Board of Supervisors

GLORIA MOLINA  
First District

MARK RIDLEY-THOMAS  
Second District

ZEV YAROSLAVSKY  
Third District

DON KNABE  
Fourth District

MICHAEL D. ANTONOVICH  
Fifth District

## PROBATION DEPARTMENT RISK MANAGEMENT AND RETURN-TO-WORK IMPLEMENTATION PLAN

On October 11, 2011, your Board requested an implementation plan from the Chief Executive Office (CEO) and Probation Department (Probation), specifying how Probation will:

- Take preventive measures to reduce the amount of employees suffering from on-the-job injuries;
- Identify the outcomes hoped to be achieved in terms of returning employees to work;
- Identify how CEO and Probation will meet these goals; and
- Describe how Probation will implement the Sheriff's Department's (Sheriff) best practices.

Probation has worked with Sheriff and CEO to implement a three-pronged approach. A detailed Safety and Workers' Compensation Action Plan (Attachment I) identifies preventative measures expected to reduce the amount of employees suffering from on-the-job injuries. Outcomes and the corresponding action items are identified at the end of the plan. Of the 16 steps in this plan, 11 have been completed and the remaining five are in process. The Safety and Workers' Compensation Action Plan is aggressive and focused on policies, training, inspections, and accountability. An accident review checklist has been developed to facilitate the investigation of unsubstantiated accidents and to identify root-causes of accidents and the need for preventative action plans. Also, location-specific facility inspection checklists have been developed and will be required monthly. In addition, Probation Risk Management has partnered with the Quality Assurance team to develop and monitor critical safety indicators. CEO Risk Management Branch, Loss Control and Prevention staff members have been working closely with the Probation Risk Manager and staff since July 2011. As a result of actions taken by Probation, the loss frequency is dropping appreciably. In 2010, the weekly accident average was 18.2; since July the average is 12.1, and the target by the end of this Fiscal Year is 10.0.

*"To Enrich Lives Through Effective And Caring Service"*

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A detailed Return-to-Work (RTW) Action Plan (Attachment II) describes how Probation will implement the Sheriff's best practices. Of the 14 steps on this plan, eight have been completed, and six are in process. Outcomes expected from this effort include:

- RTW Unit Case Managers will maintain quarterly "face-to-face" training sessions with their respective RTW coordinators.
- All employees "off work" due to an industrial injury or illness will be listed on the Absence Follow-up Report, generated weekly by each respective RTW coordinator.
- All employees working a temporary modified assignment or a temporary conditional assignment will be listed on the Absence Follow-up Report, generated weekly by each respective RTW coordinator.
- All persons listed in the Absence Follow-up Report, as assigned to home regarding an industrial injury or illness, will have current medical certification in their RTW file.
- Upon receipt of a Work Restriction letter from the RTW Unit, the RTW coordinator will conduct a telephonic Interactive Process Meeting (IPM) within three days of receipt in order to make a detailed job offer; if unable to make phone contact within three days, a home visit will be conducted the following business day.
- Once an employee states they are unable to perform their usual and customary duties at a permanent and stationary stage, they will be placed on a temporary conditional assignment pending full participation in the retirement process, if applicable, or a re-assignment based upon any applicable work restrictions (This may include a re-assignment to a residential or to a field assignment).
- Any individual who has reached the permanent and stationary stage, cannot perform his/her usual and customary duties, is not actively participating in the retirement process, or refusing a re-assignment, will be assessed and evaluated for a medical release or an involuntary re-assignment.
- Absent extenuating circumstances (i.e., surgery, terminal illnesses, etc.), all persons off work due to an industrial injury or illness for more than six months will have a scheduled Agreed Medical Examiner/Qualified Medical Examiner appointment prior to the end of the eighth month.
- All persons off work due to an industrial injury or illness more than six months will have their case reviewed, assessed, and an updated action plan in place.
- At the end of the 12-month monitoring period, Probation will have a 50 percent reduction in employees off work due to industrial injuries or illnesses.

Each Supervisor  
November 1, 2011  
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Additional staff, as illustrated on the attachments, is necessary to implement these goals. Probation and CEO have identified desired staffing levels for the risk management unit (Attachment III). Probation and CEO, with the assistance of the Sheriff's staff, have identified desired staffing levels for the RTW unit (Attachment IV).

The third action undertaken by Probation is the initiation of a Critical Case Management Roundtable (CCMR). This operation is an intensive scrutiny of 100 cases where the employee has been off work for an extended period of time. As a result of this scrutiny, approximately 55 employees have been identified as progressing medically and expected to return to work, and a plan of action has been developed for each. Approximately 20 employees have been identified with medical conditions that make it highly unlikely that they will return-to-work. A plan of action for each of these employees is being developed to determine if disability retirement or medical release can be effected. Approximately 20 employees have been returned to work. As a result of this intensive scrutiny, five employees are facing personnel actions or are being terminated for job abandonment. Probation is working closely with the workers' compensation third party administrator to identify employees with questionable claims. Investigations are in progress on approximately 20 employees. The CEO Workers' Compensation Fraud specialist is spending one day a week reviewing cases where fraud or abuse is suspected.

The Action Plans are intended to be works in progress. The CCMR effort is particularly fresh and will be refined as experience with the process is gained. CEO, Probation, and Sheriff will provide status update reports to your Board on a monthly basis.

For additional information, your staff may contact Laurie Milhiser, Assistant Chief Executive Officer/County Risk Manager, at (213) 351-5346.

If you have any questions, please have your staff contact Ellen Sandt at (213) 974-1186 or [esandt@ceo.lacounty.gov](mailto:esandt@ceo.lacounty.gov).

WTF:ES  
LM:SEN:km

Attachments

c: Sheriff  
Executive Office, Board of Supervisors  
County Counsel  
Probation

**PROBATION DEPARTMENT SAFETY AND WORKERS' COMPENSATION ACTION PLAN  
FISCAL YEAR 2011-12**

**As of October 28, 2011**

| <b>Safety and Workers' Compensation Action Plan</b>   |   |                             |  |
|---|---|-----------------------------|--|
| <b>Task</b>   | <b>Responsible Person</b>                             | <b>Due Date</b>             | <b>Status Update</b>   |
| 1) Conduct quarterly audits of facility/office inspections for the following Juvenile Hall locations:<br><ul style="list-style-type: none"> <li>Barry J. Nidorf</li> <li>Central</li> <li>Los Padrinos</li> </ul>   | Probation Safety Officer                              | September 2011 and on-going | <b>9/29/11 – Completed</b><br><br><ul style="list-style-type: none"> <li>Dept. also inspected Camp Challenger</li> </ul>   |
| 2) Provide CEO-Risk Management Ergonomics Tips to all staff.  | Probation Bureau Consultants                          | September 2011 and on-going | <b>9/29/11 – Completed</b><br><u>Dept. issued Special Bulletins:</u><br>9/29/11 –“Housekeeping Practices and Office Safety”<br><br>9/29/11 –“Safe Practices and Rules for Your Safety” |
| 3) Provide Probation Safe Practices and Rules for Your Safety policy to all staff.  | Probation Bureau Consultants                          | September 2011 and on-going | <b>9/29/11 – Completed</b><br><u>Dept. issued Special Bulletins:</u><br>9/29/11 –“Housekeeping Practices and Office Safety”<br><br>9/29/11 –“Safe Practices and Rules for Your Safety” |
| 4) Initiate accident investigations when there is a potential for staff injuries based on the receipt of e-mails alerts from Detention Services Bureau (DSB) and Residential Treatment Services Bureau (RTSB) by reviewing:<br><ul style="list-style-type: none"> <li>E-mail alerts of incidents</li> <li>Preliminary Incident Reports (PINS)</li> <li>Special Incident Reports (SIRS)</li> </ul> | Probation Loss Control and Prevention Program Analyst | October 2011 and on-going   | <b>9/29/11 – Received one alert.</b> Preliminary Incident Report (PINS) was created due to a fight at Camp Kirby.  |

| <b>Safety and Workers' Compensation Action Plan (Continued)</b>  |  |                             |   |
|--|--|-----------------------------|---|
| <b>Task</b>  | <b>Responsible Person</b>  | <b>Due Date</b>             | <b>Status Update</b>  |
| 5) Initiate accident investigations by reviewing: <ul style="list-style-type: none"> <li>• 5020s as soon as they arrive from the Third Party Administrator</li> <li>• Requesting a copy of the Employee's Report of Accident and the Supervisor's Investigative Report</li> <li>• Comparison and Analysis of Workers' Compensation Claims associated with Restraints and Safe Crisis Management</li> </ul> | Probation Loss Control and Prevention (LCP) Program Analyst and Probation Safety Officer | July 2011 and on-going      | <b>9/29/11 – CEO met with Probation safety staff</b> to discuss the tracking of the 5020s accident investigations on 9/23/11. A new form has been created to be used for accident investigations. |
| 6) Initiate and implement Preventive Action Plans (PAPs) with various bureaus and operations management based on accident investigation findings.  | Probation Risk Management Division   | September 2011 and on-going | <b>8/2011 – Two (2) PAPs</b> were created.<br><br>9/2011 – No new PAPs created.   |
| 7) Develop and implement an Ergonomics Program Policy.   | Probation Safety Officer   | September 30, 2011          | <b>Pending</b>  |
| 8) Provide IIPP/Safety Orientation and Risk Reduction training to each bureau management staff.  | Probation Risk Manager and Safety Officer  | December 2011               | <b>Pending</b>  |
| 9) Department Risk Management meetings with CEO-LCP on a monthly basis to report progress.   | Probation Risk Manager and CEO-LCP   | July 2011 and on-going      | <b>7/22/11 – Completed</b><br>CEO-LCP met with Probation on: <ul style="list-style-type: none"> <li>• 8/26/11</li> <li>• 9/29/11</li> <li>• Next meeting 10/27/11</li> </ul>                      |
| 10) Implement a quarterly Department Safety Committee Meeting chaired by Upper Management with assistance from the department Risk Management Office.  | Probation Designated Management and Risk Management Office (Participation by CEO-LCP)    | October 2011 and on-going   | <b>Pending</b> <ul style="list-style-type: none"> <li>• 10/2011 identification of first meeting participants</li> <li>• First quarterly meeting pending for early to mid-November 2011</li> </ul> |

| Safety and Workers' Compensation Action Plan (Continued)  |   |                           |  |
|---|---|---------------------------|--|
| Task  | Responsible Person                        | Due Date                  | Status Update  |
| 11) Special Bulletin Distribution-topics such as, but not limited to: <ul style="list-style-type: none"> <li>Workers' Compensation Fraud</li> <li>Safety</li> </ul>   | Probation Risk Manager and Safety Officer | October 2011 and on-going | <b>9/29/11 – Completed</b><br><u>Dept. issued Special Bulletin:</u><br>10/18/11 –“Workers' Compensation Fraud” |
| 12) Risk Management Communication Alerts Distribution to key stakeholders. Alerts include: <ul style="list-style-type: none"> <li><u>Issue type</u> (i.e., heat alert, fire, etc.)</li> <li><u>Source of Information</u> (i.e., Office of Emergency Mgmt., Public Health, Sheriff's, etc.)</li> <li><u>Date of Issue</u></li> <li><u>Incident Location</u></li> <li><u>Description of Issue</u></li> <li><u>Action Required</u> (i.e., stay indoors, monitor news reports, etc.)</li> <li><u>Dept. Locations Nearby Incident Location/Issue</u></li> <li><u>Where further information is available</u></li> </ul> | Probation Risk Manager and Safety Officer | July 2011 and on-going    | <b>7/2011 – Completed</b>  |
| 13) Master Risk Management (RM) E-mail Address <ul style="list-style-type: none"> <li>Development of a main E-mail address in MS-Outlook to enable Probation employees to submit questions and/or concerns to RM</li> </ul>   | Probation Risk Manager and Safety Officer | September 2011            | <b>9/2011 – Completed</b>  |

| Safety & Workers' Compensation Action Plan (Continued)   |   |                           |   |
|--|---|---------------------------|---|
| Task   | Responsible Person                                  | Due Date                  | Status Update   |
| 14) LCP related Policy <ul style="list-style-type: none"> <li>• Vehicle Accident Review</li> <li>• Mileage Reimbursement/Self-Insurance (with enhanced permittee certification process)</li> <li>• Events Liability Reduction</li> <li>• Property Damage Reimbursement</li> </ul>  | Probation Risk Manager and Safety Officer           | September 2011            | <b>9/2011 – Draft Completed</b> <ul style="list-style-type: none"> <li>• Pending feedback from certified employee organizations.</li> </ul> |
| 15) Create a Workers' Compensation Liability Section in the Civil Litigation Operation <ul style="list-style-type: none"> <li>• Request &amp; review records &amp; policies associated with W/C matters</li> <li>• Prepare &amp; transmit an electronic response to CEO-W/C and County Counsel W/C associated with W/C claims when there is <u>suspected potential abuse/fraud</u> <ul style="list-style-type: none"> <li>○ Similar to the responses developed associated with tort claims</li> </ul> </li> <li>• Provide witness coordination assistance for W/C defense attorneys</li> <li>• Act as Department liaison with W/C defense matters</li> </ul> | Probation Risk Manager and Head of Civil Litigation | November 2011             | <b>Pending</b>  |
| 16) Mandatory Safety Orientation Checklist w/2-hour training in topics such as: <ul style="list-style-type: none"> <li>• Safety Responsibility</li> <li>• Fire &amp; Emergency Procedures</li> <li>• Fire Extinguishers</li> <li>• First Aid</li> <li>• Reporting Requirements</li> <li>• Safety Training</li> <li>• Safety Equipment</li> </ul>   | Probation Risk Manager and Safety Officer           | January 2012 and on-going | <b>Pending</b>  |

| PROPOSED OUTCOMES   |   |
|---|---|
| Outcome   | RESPONSIVE ACTION ITEM NUMBERS<br>Safety and Workers' Compensation  |
| Increase in Department staff awareness of safe practices and their ability to reduce the likelihood of accidents, injuries and/or liability issues  | <ul style="list-style-type: none"> <li>• No. 2</li> <li>• No. 3</li> <li>• No. 4</li> <li>• No. 10</li> <li>• No. 11</li> <li>• No. 12</li> <li>• No. 13</li> <li>• No. 14</li> <li>• No. 16</li> </ul>               |
| Increase in safety staff identification of potential issues and preventive action measures thereby resulting in a reduction in accidents and/or injuries  | <ul style="list-style-type: none"> <li>• No. 1</li> <li>• No. 4</li> <li>• No. 5</li> <li>• No. 6</li> <li>• No. 7</li> <li>• No. 8</li> <li>• No. 9</li> <li>• No. 12</li> <li>• No. 13</li> <li>• No. 16</li> </ul> |
| Key stakeholders enhanced identification and notification of needed preventive actions and/or suspected potential workers' compensation fraud resulting in reduction in accidents, injuries and/or liability issues | <ul style="list-style-type: none"> <li>• No. 5</li> <li>• No. 6</li> <li>• No. 11</li> <li>• No. 15</li> </ul>  |
| Reduction in the days away from work and appropriate transition back to work in a suitable position   | <ul style="list-style-type: none"> <li>• No. 2</li> <li>• No. 3</li> <li>• No. 4</li> </ul>   |



**PROBATION DEPARTMENT RETURN-TO-WORK ACTION PLAN  
FISCAL YEAR 2011-12**

**As of October 28, 2011**

| <b>Return-to-Work Action Plan</b>  |   |                 |   |
|--|---|-----------------|---|
| <b>Task</b>  | <b>Responsible Person</b>                 | <b>Due Date</b> | <b>Status Update</b>  |
| 1) RTW Operation Analysis  | Sheriff's Department Captain              | August 9, 2011  | <b>7/22/11 – Completed</b><br>Sheriff's Dept. identified the need to: <ul style="list-style-type: none"> <li>• Reconfigure operation &amp; decentralize</li> <li>• Policy development &amp; enhancements</li> </ul> |
| 2) Create draft directives on behalf of Probation Department covering responsibilities of Line Supervisors, RTW Coordinators and Case Managers   | Sheriff's Department                      | September 2011  | <b>8/22/11 – Completed and delivered to Probation</b>   |
| 3) Review, enhance, approve and disseminate RTW-related directives: <ul style="list-style-type: none"> <li>• Supervisors Responsibilities-Work Related Injury/Illness</li> <li>• On-site RTW Coordinators' Responsibilities</li> <li>• RTW-AIMS Notification Letter Responses</li> </ul> | Probation RTW ASM and HR Manager          | November 2011   | <b>Draft Pending Approval Process</b>   |
| 4) Creation of email groups. <ul style="list-style-type: none"> <li>• Help desk</li> <li>• TPA NOBs</li> <li>• TPA W/R letters</li> </ul>  | Probation RTW ASM and HR Manager          | September 2011  | <b>09/15/11 – Completed</b><br>Email groups created and being utilized by TPA   |
| 5) Implementation of Sheriff's Department draft directives into Probation Department's organization  | Chief Probation Officer                   | September 2011  | <b>9/04/11 – Effective implementation date</b>  |
| 6) Decentralized RTW- On-site RTW Coordinators <ul style="list-style-type: none"> <li>• Identify coordinators</li> <li>• Assign to specific RTW Case Managers</li> <li>• Case Managers to conduct on-going training with Coordinators</li> </ul>   | Probation RTW ASM<br>Probation HR Manager | November 2011   | <b>Pending</b> – On-site RTW Coordinators have been identified.<br><br>RTW Case Managers at Probation Dept HQ and RTW Coordinators in the field have been teamed.   |

| Return-to-Work Action Plan (Continued)   |  |                            |  |
|--|--|----------------------------|--|
| Task   | Responsible Person                               | Due Date                   | Status Update  |
| 7) RTW Trainings associated with enhancements and decentralization: <ul style="list-style-type: none"> <li>• RTW Case Manager Training               <ul style="list-style-type: none"> <li>○ Oversee and facilitate on-site operations, etc.</li> </ul> </li> <li>• RTW Support Staff               <ul style="list-style-type: none"> <li>○ Process and log TPA Work Restriction Letters.</li> </ul> </li> <li>• Leaves Section               <ul style="list-style-type: none"> <li>○ FMLA, etc.</li> </ul> </li> <li>• NOB Section               <ul style="list-style-type: none"> <li>○ Processing pay benefits</li> </ul> </li> <li>• Director, Managers and On-site RTW Coordinators related to their duties:               <ul style="list-style-type: none"> <li>○ I/A packets</li> <li>○ Absence Follow-ups</li> <li>○ On-site contact related to RTW issues, etc.</li> </ul> </li> </ul> | Sheriff's Department                             | September 2011             | <b>9/2011 – Completed</b><br>Sheriff's Dept. conducted trainings of Probation members: <ul style="list-style-type: none"> <li>• 8/26/11</li> <li>• 8/28/11</li> <li>• 8/29/11</li> <li>• 8/30/11</li> <li>• 8/31/11</li> <li>• 9/4/11</li> <li>• 9/8/11</li> </ul> |
|  |  |                            |  |
| 8) Chief Executive Office identification of proposed staffing level of Probation RTW Unit  | Chief Executive Office and Sheriff's Department  | September 2011             | <b>09/26/11 – Completed</b><br>Items identified pending Board of Supervisors' approval   |
| 9) Absence Follow-up Report – Weekly report to be completed and utilized by RTW Coordinators of all Facilities/Area Offices, etc. <ul style="list-style-type: none"> <li>• RTW Unit will maintain Quality Control Communications w/Division Management</li> </ul>  | Probation RTW ASM and HR Manager, and executives | November 2011 and on-going | <b>Pending – RTW Unit working with Directors to gain compliance.</b>   |
| 10) In depth one-to-one training provided to Probation RTW Case Managers (100 cases reviewed alongside Probation case managers)  | Sheriff's Department                             | October 2011               | <b>10/14/11 – Completed</b>  |

| <b>Return-to-Work Action Plan (Continued)</b>   |   |                 |                      |
|---|---|-----------------|----------------------|
| <b>Task</b>   | <b>Responsible Person</b>                           | <b>Due Date</b> | <b>Status Update</b> |
| 11) Upgrade logistical elements of RTW. <ul style="list-style-type: none"> <li>• Computers</li> <li>• Software</li> <li>• Unified working area</li> <li>• Pool car for home visits</li> <li>• Central Reception phone number</li> </ul>                   | Probation RTW ASM and HR Manager                    | January 2012    | Pending              |
| 12) Work Hardening (WH) Lobby <ul style="list-style-type: none"> <li>• Develop several WH lobbies in various parts of the County</li> <li>• Provide on-site training associated w/assignments and suitable placement in work location</li> </ul>          | Probation RTW Manager and Risk Manager              | February 2012   | Pending              |
| 13) Strategic Case Management Initiative <ul style="list-style-type: none"> <li>• Roundtable discussion of critical case issues               <ul style="list-style-type: none"> <li>○ Major issues</li> <li>○ Potential W/C abuse</li> </ul> </li> </ul> | Probation RTW Staff with assistance from management | October 2011    | 10/2011 – Completed  |
| 14) RTW Vacant Position Book, which includes: <ul style="list-style-type: none"> <li>• Categories of worksites and all available positions by classification and salary to employees returning to work with restrictions</li> </ul>                       | Probation RTW Manager and Risk Manager              | March 2012      | Pending              |

| PROPOSED OUTCOMES   |  |
|---|--|
| Outcome   | RESPONSIVE ACTION ITEMS<br>Return-To-Work  |
| Key stakeholders enhanced identification and notification of needed preventive actions and/or suspected potential workers' compensation fraud resulting in reduction in accidents, injuries and/or liability issues | <ul style="list-style-type: none"> <li>• No. 13</li> </ul>   |
| Reduction in the days away from work and appropriate transition back to work in a suitable position   | <ul style="list-style-type: none"> <li>• No. 2</li> <li>• No. 3</li> <li>• No. 4</li> <li>• No. 5</li> <li>• No. 6</li> <li>• No. 7</li> <li>• No. 8</li> <li>• No. 9</li> <li>• No. 12</li> <li>• No. 13</li> <li>• No. 14</li> </ul> |

Probation Department

Risk Management Organization - RECOMMENDED

FY 2011-12

Updated 10/27/11

Admin Deputy III

DHRM III

Risk Management

1.0 Probation Director  
1.0 Secretary II  
2.0 Positions

Civil Litigation

1.0 Admin Services Manager I  
2.0 Administrative Assistant III  
2.0 Administrative Assistant II  
1.0 Int Typist Clerk  
6.0 Positions

Loss Prevention and Control

1.0 Safety Officer II  
3.0 Safety Inspector  
3.0 Safety Assistant  
1.0 Administrative Assistant I  
1.0 Int Typist Clerk  
9.0 Positions

Health and Safety

3.0 Program Analyst, Probation  
1.0 Int Typist Clerk  
4.0 Positions

Return-To-Work (RTW)  
Enforcement Team

3.0 Assistant Probation Directors  
3.0 Positions

PROBATION - Return To Work Structure  
LASD/CEO Joint Recommendation

